IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants:	Cheh Goh, Liqun Chen, Stephen J. Crane, Marco C. Mont, and Keith A. Harrison
Assignee:	Hewlett-Packard Development Company, L.P.
Title:	Data Output Method, System and Apparatus

Serial No.:	10/664,069	Filing Date:	September 16, 2003
Examiner:	Beemnet W. Dada	Group Art Unit:	2435
Docket No.:	300110535-2	Conf. No.:	3247

June 1, 2010

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REPLY BRIEF UNDER 37 C.F.R. § 41.41

Dear Sir:

This Reply Brief, which is being filed within two months of the Examiner's Answer transmitted April 1, 2010, includes:

This identification page;

A statement of the Status of Claims;

A statement of the Grounds of Rejection to be reviewed; and

Remarks and Arguments addressing the Examiner's Answer.

STATUS OF CLAIMS

As set forth in the Appeal Brief dated November 16, 2009 and the Examiner's Answer dated April 1, 2010, claims 1-38 are pending in the application being appealed. Claims 39 and 40 were previously canceled. Claims 1-4, 11-18, 25-28, 30, 31, and 35-38 and stand rejected and are the subject of the appeal. Claims 5-10, 19-24, 29, and 32-34 stand objected to.

GROUNDS OF REJECTION TO BE REVIEWED

As set forth in the Appeal Brief dated November 16, 2009 and the Examiner's Answer dated April 1, 2010, the following rejection is presented to the Board of Appeals for decision:

Claims 1-4, 11-18, 25-28, 30, 31, and 35-38 stand rejected as being unpatentable under 35 U.S.C. 103(a) over U.S. Pat. App. Pub. No. 2002/0013772 A1 (hereinafter Peinado) in view of U.S. Pat. App. Pub. No. 2003/0196099 A1 (hereinafter Lampson).

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ARGUMENTS

This Reply Brief is being submitted in the above-identified patent application pursuant to 37 C.F.R. § 41.41 and in reply to the Examiner's Answer dated April 1, 2010.

The Examiner's Answer largely repeats the rejection as set forth in the Final Office Action dated June 16, 2009, and Appellants refer the Board to Appellants' Arguments in the Appeal Brief dated November 16, 2009 for reasoning that identifies errors in the rejection.

Appellants further wish to emphasize the language of independent claim 1 that specifically recites, "an encryption key string ... that defines a policy for allowing the output of the first data set onto a said removable storage medium." For an identity based encryption process, the encryption key string is typically a string that identifies a particular party (e.g., a name or an ID number) and is used in an encryption process that is inherently linked to the party's identity because the mathematics of the encryption process depends on the encryption identity string. Decryption in an identity base encryption process is also inherently linked to the identity of the party because the encryption key string is required for the mathematics of the decryption process. (See Appellants' Fig. 1 and specification page 1, line 29 to page 2, line 5.) Appellants were the first to appreciate that an encryption key string can instead define a policy for output of data rather than identify a party. Thus, an entity that decrypts the cipher text must be in possession of the correct output policy in order to decrypt the cipher text, and the decrypting entity cannot be easily tricked into believing that a different output policy applies to the decrypted data.

The rejection of claim 1 under 35 U.S.C. § 103 is in error at least because use of an encryption key string of the type recited in claim 1 would not have been obvious in view of Peinado and Lampson. Peinado teaches that an encryption key (e.g., content key KD of Peinado) can be plain text that is encrypted to produce a cipher text license. A recipient that receives the cipher text license and has the correct key can decrypt the cipher text license and obtain another key (e.g., content key KD) for use in decrypting other cipher text (e.g., the target content). Peinado also teaches that cipher text containing the content key can additionally provide an encrypted form of other data including license data, but the key and the license data are separate parts of the original plain text that is encrypted into the cipher text.

The rejection of claim 1 is clearly in error for interpreting the license data of Peinado as corresponding to or suggesting "an encryption key string" as recited in claim 1. The encryption parameters and keys and the encryption methods used by Peinado do not depend on the license data. The plain text does. There is no suggestion in the combination of Peinado and Lampson, for example, of using the license data as all or part of "an encryption key string." Interpreting the license data of Peinado as being an "encryption key string" is contrary to the plain meaning of "encryption key string" as used in Appellants' specification and as that phrase would be interpreted to one of ordinary skill in the art. Accordingly, claim 1 patentably distinguishes over the combination of Peinado and Lampson.

Claims 2-4 and 11-14 depend from claim 1 and are patentable under 35 U.S.C. § 103 for at least the same reasons that claim 1 is patentable.

Independent claim 15 recites "encrypting a first data set, said encrypting being based on encryption parameters that comprise ... an encryption key string ... that defines a policy for allowing the output of the first data set to a removable storage medium." Peinado and Lampson fail to suggest encryption based on encryption parameters including an encryption key string that defines an output policy. Accordingly, independent claim 15 and claims 16-18 and 25-27, which depend from claim 15, are similarly patentable over Peinado and Lampson.

Independent claim 28 is more specific to a printing system and recites, "encrypting the first data set based on encryption parameters that comprise ... an encryption key string ... that defines a policy for allowing the printing of the first data set." Independent claim 28 and claims 30, 31, and 35-38, which depend from claim 28, are patentable over Peinado and Lampson at least because the combination of Peinado and Lampson fails to teach or suggest an encryption key string defining a policy as required in claim 28.

For the above reasons and the reasons set forth in the Appeal Brief, Appellants submit the rejection of claims 1-4, 11-18, 25-28, 30, 31, and 35-38 is unfounded, and Appellants request that the rejection be reversed.

Respectfully submitted,

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